

UNITED STATES DISTRICT COURT

for

Western District of Texas

Report on Offender Under Supervision

Name of Offender: Michael Anthony Ojeda Case Number: A-12-CR-251(01)-LY

Name of Sentencing Judicial Officer: Honorable Lee Yeakel, United States District Judge

Date of Original Sentence: October 18, 2012

Original Offense: Count 1: Possession of a Firearm by Felon, in violation of 18 U.S.C. § 922(g)(1)

Original Sentence: Sentenced to one hundred and twenty (120) custody in the U.S. Bureau of Prisons to be followed with a three (3) year term of supervised release. Special conditions imposed include participate in substance abuse treatment, alcohol abstinence, and pay a \$100 special assessment.

Type of Supervision: Supervised Release

Start of Probation: August 26, 2019

Assistant U.S. Attorney: Matthew B. Devlin

Defense Attorney: J. Gabriel Hernandez

PREVIOUS COURT ACTION

On November 2, 2015, an Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2) was filed in the Western District of Texas, Austin Division, granting a reduction in sentence to 110 months custody in the U.S. Bureau of Prisons.

NONCOMPLIANCE SUMMARY

Violation Mandatory Condition No. 3: “The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court) for use of a controlled substance, but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant’s presentence report or other reliable sentencing information indicates low risk of future substance abuse by the defendant.”

Violation Standard Condition No. 7: “The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.”

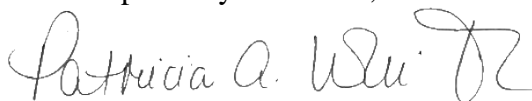
Nature of Noncompliance: On June 11, 2021, the offender submitted a urine specimen which returned positive for marijuana.

U.S. Probation Officer Action: On June 29, 2021, this officer contacted the offender regarding his positive marijuana test result. The offender admitted to using marijuana to cope with stress and depression. The offender attributed these struggles to the recent passing of his aunt and his mother being ill. He reported after using, he immediately regretted his actions. During our communication, the offender was open regarding the incident and expressed great remorse. The offender requested an opportunity to resume treatment services to address his lapse.

To assist the offender in regaining his sobriety and compliance on supervision, this officer respectfully requests no action be taken, to allow the offender to participate in substance abuse treatment.

Accordingly, the Court reserves the right to revisit this allegation in the future. In addition, should the offender incur any further violations, the Court will be immediately notified.

Respectfully submitted,



Patricia A. Whitson
U.S. Probation Officer
Date: June 29, 2021

Approved:



Martha N. Davis
Supervising U.S. Probation Officer
Date: June 29, 2021

THE COURT ORDERS:

- ☒ No Action
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Honorable Susan Hightower
U.S. Magistrate Judge
June 30, 2021

Date